

REMARKS

The application includes claims 2-19, 21-29, 31, 33-37, 39-56, 58-66, 68, and 70-74 prior to entering this amendment.

The examiner indicated that claims 9-19, 21-29, 31, 33-37, 39-56, 58-66, 68, and 70-74 contain allowable subject matter.

The examiner rejected claims 2-6 under 35 U.S.C. § 103(a) as being unpatentable over Allain *et al.* (U.S. Patent 6,449,259) in view of applicant's admitted prior art (AAPA).

The examiner rejected claims 7-8 under 35 U.S.C. § 103(a) as being unpatentable over Allain in view of AAPA and Dalrymple *et al.* (U.S. Patent 6,826,272).

The applicants amend claims 3, 4, 6, 37, 64, 68, and 74.

The applicants cancel claim 5 without prejudice.

The application remains with claims 2-4, 6-19, 21-29, 31, 33-37, 39-56, 58-66, 68, and 70-74 after entering this amendment.

The applicants make the above amendments without prejudice or disclaimer to delineate more clearly intended subject matter. Accordingly, the applicants do not intend to surrender claimed subject matter by submission of the above amendments and do not add new matter. The applicants respectfully request reconsideration of the above referenced patent application in view of the following remarks.

Allowable Subject Matter

The applicants thank examiner Nguyen for allowing claims 9-19, 21-29, 31, 33-37, 39-56, 58-66, 68, and 70-74.

Claim Objections

The examiner suggested canceling claim 5 because it is placed in independent claim 6 and amending claim 64, line 5 from "1-1.323" to H.323.

The applicants cancel claim 5 and amend claim 64 to obviate the examiner's objections.

Claim Rejections - 35 U.S.C. § 103

The examiner rejects claims 2-6 under 35 U.S.C. §103(a) as being unpatentable over Allain in view of applicant's admitted prior art (AAPA). The applicants respectfully traverse the rejection for the following reasons and request that the examiner withdraw the rejection of claims 2-6.

Although applicants do not agree with the examiner's characterization of portions of the specification as "applicant's admitted prior art,"¹ to avoid confusion, the sections of the specification the examiner cites and refers to as "applicant's admitted prior art" will be referred to herein as "applicant's admitted prior art" (AAPA).

Amended claim 6 recites (emphasis added):

where the primary media gateway controller controls multiple media endpoints *using the multiplexed signaling content received from the plurality of signaling gateways to control operation of the media endpoints* and similarly communicates with multiple signaling gateways;

With regard to claim 6, the examiner indicated:

Allain et al. do not expressly disclose *** wherein the media gateway controller similarly controls multiple media endpoints and similarly communicates with multiple signaling gateways;²

The examiner further indicated:

The applicant's admitted prior art discloses *** wherein the media gateway controller similarly controls multiple media endpoints and similarly communicates with multiple signaling gateways (page 3, lines 22-24);³

However, the section cited by the examiner as AAPA recites:

Media gateway controller efficiently manages gateway bank 34 by handling call control signaling. Thus, a gatekeeper (not shown) instructs terminal 20 to complete its H.225/H.245 TCP/IP connections with media gateway controller 36.⁴

¹ Office action, page 4

² Office action, page 3

³ Office action, page 4

⁴ Specification, page 3, lines 22-24

The applicants submit that AAPA does not teach a primary media gateway controller adapted to control multiple media endpoints using the multiplexed signaling content received from the plurality of signaling gateways to control operation of the media endpoints, as is recited in claim 6. The AAPA merely discloses that a media gateway controller may manage media gateways by handling call control signaling. However, nothing in the AAPA discloses *how* the media gateway controller handles call control signaling. Further, nothing in the AAPA discloses *receiving multiplexed signaling content from signaling gateways*. Accordingly, nothing in the AAPA discloses *controlling the operation of the media endpoints using the multiplexed signaling content received from signaling gateways*. Thus, for at least the reasons provided above, claim 6 distinguishes from Allain and AAPA and is in condition for the examiner's allowance.

The dependent claims 2-4 incorporate all of the elements of claim 6 and are likewise allowable.

The examiner rejected claims 7-8 under 35 U.S.C. § 103(a) as being unpatentable over Allain in view of AAPA and Dalrymple. The applicants respectfully traverse the rejection for the following reasons and request that the examiner withdraw the rejection of claims 7-8.

Dependent claims 7-8 incorporate all of the elements of claim 6. Dalrymple does not cure the deficiencies of Allain and AAPA, thus claims 7-8 are likewise allowable.

Applicants believe that the claimed subject matter is patentably distinguishable from Allain, AAPA and Dalrymple for additional reasons; however, because the forgoing is believed to be sufficient, Applicants choose to omit them at this time. Likewise, Applicants' failure to comment directly upon any of the positions asserted by the examiner in the current office action does not indicate agreement or acquiescence with those asserted positions. Rather, the examiner's positions are rendered moot by the foregoing and, therefore, it is not necessary to respond to every position taken by the examiner with which the applicants' do not agree.

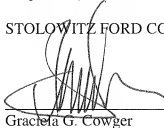
CONCLUSION

For the foregoing reasons, the applicants request reconsideration and allowance of claims 2-4, 6-19, 21-29, 31, 33-37, 39-56, 58-66, 68, and 70-74. The applicants encourage the examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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